REMARKS

Claims 1, 2, 4-12 and 14-39 are presented for examination. Claims 1, 4, 6, 8, 10, 12, 14, 16, 18-21, 34, 36 and 38 are independent claims. Claims 3 and 13 have been cancelled without prejudice or disclaimer of subject matter, and will not be mentioned further. Claims 1, 2, 4-12 and 14-20 have been amended to define still more clearly what Applicant regards as his invention. Claims 21-39 have been added to assure Applicant of a full measure of protection of the scope to which he deems himself entitled. The title has been amended, substantially as suggested by the Examiner. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Claims 1, 2, 4-6, 10, 11, 14, 15 and 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,313,877 (Anderson), and Claims 8, 9, 12, 16, 17, 19 and 20 were rejected under Section 102(e) as being anticipated by U.S. Patent Application Publication 2001/0041056 (Tanaka et al.). In addition, Claim 7 was rejected under 35 U.S.C. § 103(a) as being obvious from *Anderson* in view of U.S. Patent 6,809,759 (Chiang).

Independent Claim 1 is directed to a method for displaying on an image display device an image stored in an image storage device. The method of Claim 1 comprises a determination step of determining whether an image is to be displayed or characters related to the image are to be displayed, in accordance with the number of images stored in the image storage device.

Anderson relates to a system for use in a digital camera or the like, to permit a user to display recorded images from the camera on a larger screen, such as a television, with greater convenience than is possible when the image is viewed using the camera itself. As illustrated in Fig. 4, it is contemplated that the user will connect the camera to a

peripheral display. Conventionally, the peripheral display would be in the same format as that appearing on the camera itself, in this example, with a scrolling display of four thumbnails (e.g., 50 x 50 pixels) and a larger version of one of those (e.g., 90 x 120). According to the *Anderson* system, instead, the peripheral displays according to a different format, which is used when the camera detects that it is connected to the peripheral display (col. 5, lines 18-28). Fig. 6 illustrates one approach, in which a larger number than just four thumbnails are displayed, along with one higher-resolution image 604. In another embodiment, shown in Fig. 7, the peripheral display may simply display thumbnails, but a considerably larger number than can be shown at once on the camera's LCD, thus permitting the user to review the stored images more quickly.

According to *Anderson*:

"When no captured images are available in the camera, the LCD **402** can display a message indicating this to be the case. When only one image is available, then the small thumbnail **402** representing that image is displayed above the selection indication I the selection arrow line **502**. And when there are more than four images in the camera, the selection arrow line **502** displays arrow heads to indicate movement in that direction is possible with the left/right navigation buttons **410**." (col. 4, lines 45-53).

Applicant notes, however, that the message displayed when there is no captured image is not itself a captured image, and since there is no captured image, the content of the message cannot be said to be related to any captured image.

Moreover, as *Anderson* makes clear in the paragraph immediately following the one just quoted:

"After a small thumbnail **440** becomes the currently selected image, additional information corresponding to that image can be automatically displayed in the LCD screen **402**. In a preferred embodiment, the additional information includes a resized thumbnail **442** showing a larger view (120x90 pixels) of the currently selected image and image information which can include an icon bar **506** and text

444. .... The displayed text **444** may include a specification of the name or number of the image, and the date and time the image was captured." (col. 4, lines 54-67)

Even if the *Anderson* system displays text relating to an image when that image is itself displayed, as just described, Applicant strongly urges that nothing has been found, or pointed out, in *Anderson* that would teach or suggest making a determination as to whether a thumbnail of a stored image is to be displayed or whether, instead, characters relating to the stored image are to be displayed, in accordance with the number of images stored, as recited in Claim 1.

Accordingly, Claim 1 is believed to be clearly allowable over *Anderson*.

Claims 10 and 14 are article and program claims, respectively, corresponding to method Claim 1, and are believed to be allowable over *Anderson* for at least the reasons discussed above with regard to Claim 1.

Independent Claim 4 is directed to a method for displaying on an image display device, an image stored in an image storage device. The method of Claim 4 comprises a determination step of determining whether an image is to be displayed or the name of an image is to be displayed, in accordance with the number of images stored in the image storage device.

Claims 12 and 16 are article and program claims, respectively, corresponding to method Claim 4.

Claims 4, 12 and 16 are believed to be allowable over *Anderson* for at least the same reasons discussed above with regard to Claim 1.

Tanaka relates to transmission and reception of image information, such as images captured by a digital camera. The *Tanaka* system can provide a user remotely with a list of available files (paragraph [0087]), to permit the user to select a file for display.

Applicant notes, however, that in the application of *Tanaka* to the language of Claim 12, the Office Action, while accurately quoting Claim 12, does not cite anything in *Tanaka* that allegedly makes a choice between (1) displaying the name of an image file and (2) displaying the image itself, based on the volume of images that are stored, as called for in Claim 12 (this is true, as well, of the analysis provided in the Office Action relating to Claim 16). Applicant submits that in fact nothing in *Tanaka* is believed to teach or suggest making such a determination. For at least that reason, Claims 12 and 16 are clearly allowable over *Tanaka*.

Moreover, *Tanaka* states:

"When the electronic camera **10** receives a command of "Request File List", processing at S110 "Produce New Virtual File Structure" is performed. Here, the information processing device **44** newly produces file list information of the virtual directory and virtual image file structure ..., and transmits and presents the file list information classified and produced by category at S112 "File List Information" to the communication device **80**." (paragraph [0087])

Tanaka also states:

"Then, the communication device **80** transmits "Request QQVGA Image of Current Frame Number" to the electronic camera **10** at S118.... In the electronic camera **10**, processing to read the image file designated by the user from the recording medium **54** is performed at S120.... Next, the information processing device **44** of the electronic camera **10** performs processing to read image data from the read image data and produce image data of the QQVGA size at S122.... The QQVGA image data of the current frame ... is transmitted to the communication device **80** at S124...." (paragraphs [0089] - [0091])

Even if *Tanaka* provides a remote user with a list of file names, with which the user can then access one or more of the corresponding images, nothing has been found, and certainly nothing has been pointed out, in *Tanaka* that would teach or suggest making a determination between (1) displaying an image and (2) instead displaying the name of the image, in accordance with the number of images, as recited in Claims 12 and 16.

Accordingly, it is believed to be clear that Claims 12 and 16 are allowable over *Tanaka*.

Independent Claim 6 is directed to a method for transmitting image data from an image storage device to an image reception device. The method of Claim 6 comprises a determination step of determining whether image data is to be transmitted or identification of the image data is to be transmitted by the image storage device to the image display device, in accordance with the number of images stored in the image storage device.

As discussed above, nothing in *Anderson* is believed to teach or suggest making a determination as to whether an image is to be transmitted or a text that includes the name of the image or the like is to be transmitted, in accordance with the number of images, as recited in Claim 6, and that claim is believed to be clearly allowable over *Anderson* for at least that reason.

Claims 18 and 21 are article and program claims, respectively, corresponding to method Claim 6, and are believed to be allowable over *Anderson* for at least the reasons discussed above with regard to Claim 6.

Independent Claim 8 is directed to a method for transmitting image data from an image storage device to an image reception device. The method of Claim 8 comprises a determination step of determining whether image data is to be transmitted or an image name is to be transmitted to the image reception device by the image storage device, in accordance with the number of images stored in the image storage device.

As discussed above, nothing has been found or pointed out in *Tanaka* that is seen to teach or suggest making a determination as to whether (1) the image data is to be transmitted or instead (2) the name of image is transmitted, in accordance with the number

of images. For at least this reason, Claim 8, and corresponding device and program Claims 19 and 20, are believed to be clearly allowable over *Tanaka*.
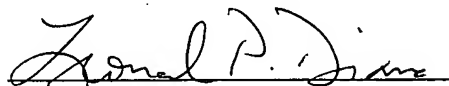
A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully request favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

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